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September 6, 2005

AUSA Robert Richardson
United States Attorney's Office
for the District of Massachusetts
United States Courthouse
One Courthouse Way
Boston, MA 02210

**Re: United States v. Noel Neff
Crim. No. 05-10184-GAO**

Dear Mr. Richardson:

This letter documents our telephone conversation today. As I indicated, I have not yet completed my review of the discovery material you sent to me. However, based on the material I have reviewed, I have two more discovery requests.

1. Please provide me with a transcript of the very first internet contact between the FBI and my client. In your first release of information, the earliest direct contact between "PatsFan90" and "Connguy203" was on April 26, 2005 at 8:03 p.m. At this time, "Connguy203" stated "i agree." This indicates that there was some comment before this from "PatsFan90" which was not provided to me. In any event, I request all communication between "Connguy203" and anyone else, including but not limited to "PatsFan90". These communications are covered by Fed. R. Crim. P. 16(a)(1)(B)(i) and Local Rule 116.1(C)(1)(c) - Electronic Surveillance.
2. Please explain the nature of the videos depicting the Windows XP and internet desktop sessions. As I indicated, these appear to record the desktop sessions of the FBI agent posing as "Patsfan90". However, due to the poor quality of the videos and the small fonts, I am not able to confirm this.

Also, due to the volume of the discovery, I have not yet had a chance to review all of it. Therefore, I am not yet in a position to indicate whether I will have further discovery requests. Accordingly, I reserve the right to make additional discovery requests once I have reviewed all of

the material provided to me. In the meantime, you and I agreed that I would file an assented to motion requesting that the initial status conference currently scheduled for September 12, 2005, be continued to the week of October 10, 2005. I have enclosed a copy of that motion.

Thank your for your attention to this matter

Sincerely,

/s/ Chauncey B. Wood

Chauncey B. Wood

CBW/ps
Enclosure

cc: Clerk, United States District Court for the District of Massachusetts
Chief Magistrate Judge Charles B. Swartwood, III